IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1359 OF 2007

Shri.Ashok Eknath Kamble
and Ors. ..Appicants

Vs.

State of Maharashtra ..Respondents

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Mr.Harshad Bhadbhade advocate for applicants
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 25, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in C.R.No.30 of 2007 of ACB Ratnagiri. The said case is mainly under Sections 465 and 468 of IPC.

3. The applicants were the members of the Scrutiny Committee which took the test of candidates who were seeking appointment to the post of drivers in M.S.R.T.C. The posts which were to be filled in were 354 in number and about 768 candidates

appeared for the said posts. The applicant no.1 was the Chairman of the said Committee and applicant nos.2 and 3 were the members of the said Scrutiny Committee. As per the material gathered by the prosecution, it shows that the applicants have erased a large number of marks allotted to some candidates and thus increased or decreased the marks in the mark lists of some of the candidates. Due to this some of the candidates came to be selected. The material gathered by the prosecution, in my view, is such as to point out an accusing finger towards the present applicants. The Apex Court has observed in the decision of the **Directorate of Enforcement Vs. P.V.Prabhakar Rao reported in 1997 S.C.C. (Cri.) 978** that when the material gathered by the prosecution is such that it points out an accusing finger towards the accused, it is not a fit case to grant anticipatory bail.

4. In view of the above, the application for anticipatory bail is rejected.

[Smt.V.K.Tahilramani, J.]